IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.7092 OF 2005

Sonia Divansingh Arora .. Applicant
Versus
The State of Maharashtra .. Respondent

Mr.Meghashyam Kocharekar for applicant
Mr.K.V.Saste, A.P.P. for State.

CORAM : S.C.DHARMADHIKARI, J.
DATE : 14th November 2005.

P.C.

. Heard learned Counsel for the applicant and A.P.P.

2. Karanlal Banarasidas Sharma lodged a complaint with Khar Police Station being C.R.No.234 of 2005 for alleged offence under sections 465, 467, 468, 471, 420, 403, 405, 120(B), 34 IPC against one Revati Roy and the

present applicant. Revati Roy is arrayed as accused No.1. The case is that the complainant was introduced to the said Revati Roy by his daughter and son in law. Daughter of complainant is residing with her husband at Bandra. Revati Roy approached the complainant's daughter and represented herself as property dealer. She showed two flats and one of the flat was stated to be belonging to one M/s.K.S.International. Complainant through Revati Roy entered into an agreement in respect of the said flat. In the said transaction, the present applicant was involved as authorised person. It is alleged that the complainant got a call from a lady posing to be Sonia Arora on mobile calling upon him to pay a sum of Rs.4,25,000/- or else the deal would be cancelled. The caller introduced herself as Sonia Arora and it is further alleged that she introduced herself as Director of M/s.K.S.International. It is further alleged that she was authorised to sell flats. The

entire transaction appears to be of sale of flat by persons allegedly having no title. Role attributed to applicant is restricted to the said telephone call and a demand allegedly made to pay the amount by cheques.

3. Prima facie the entire transaction is between Revati Roy and the complainant and role of the applicant herein is restricted to the said phone call and demand for the said amount. It is contended that to ascertain her authority and whether she is involved in the transaction her custodial interrogation is necessary. Her specimen signature is recorded. However, accused No.1 Revati Roy was arrested and later released on bail is not disputed by him. All documents have been siezed.

4. In the light of the above the applicant deserves to be released on bail in the event of her arrest in connection with the said offence

vide C.R.234 of 2005.

i) Applying the settled principles for grant of anticipatory bail to this case and with conditions to follow, she is directed to be released on bail in the event of her arrest in connection with C.R.No.234 of 2005 in the sum of Rs.20,000/- with two sureties in the like amount, subject to:-

ii) The applicant attending the concerned police station as and when summoned.

iii) The applicant shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of accusation against her so as to dissuade him from disclosing such facts to the Court or to the Police

officer/ investigating agency. The applicant shall not tamper with the prosecution evidence.

iv) Any observation made in this order shall not be construed as any finding or any expression of opinion on the merits of the case at the time of trial.

v) This order will enure to the benefit of the applicant only till charge sheet is filed. Thereafter she will be free to apply to the appropriate court for appropriate relief.

vi) Application is disposed of in the above terms.

vii) The parties to act upon an authenticated copy of this order.

(S.C.DHARMADHIKARI, J)